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deputies. The measure was proposed by the finance minister and approved by the government. It proposes to tax all incomes above \$1000 a year. Incomes derived from personal and real property are to pay 4 per cent; those derived from commerce, $3\frac{1}{2}$ per cent; and those derived from wage employment 3 per cent. The income derived from government rentes in which French savings are largely invested is also to be taxed as above.

The proposed system is intended to replace the older forms of direct taxation such as the door and window tax, the poll tax and other direct taxes.

If the measure becomes a law, approximately five hundred thousand out of ten million of taxpayers in France will be subject to taxation under its provisions. It is estimated that the tax will net the government \$24,000,000 a year.

Initiative and Referendum. A concurrent resolution for an amendment to the constitution providing for the initiative and referendum has just been passed by the North Dakota legislature. The amendment is to be referred to the next legislative assembly and if approved will be submitted to the electors for adoption or rejection.

The following are the leading provisions of the proposed amendment: Legislative authority remains vested in the legislative assembly but the people reserve to themselves power to propose laws and amendments to the constitution, and to enact or reject the same at the polls independently of the legislative assembly, and also reserve power, at their own option, to approve or reject at the polls, any act, item, section or part of any act or measure passed by the legislative assembly. The first power reserved by the people is the initiative and not more than 8 per cent of the legal voters are required to propose any measure by initiative petition. Every such petition is to include the full text of the measure proposed. The same constitutional amendment may not be proposed oftener than once in ten years. Initiative petitions are to be filed with the secretary of state not less than thirty days before any regular session of the legislative assembly and he is to transmit the same to the legislative assembly as soon as it convenes. Initiative measures take precedence over all measures in the legislative assembly except appropriation bills, and are either to be enacted or rejected without change or amendment by the legislative assembly within forty days. Any initiative measure enacted by the legislative assembly is subject to referendum petition or it may be referred

by the legislative assembly to the people for approval or rejection. If it is rejected or no action is taken upon it by the legislative assembly within forty days, the secretary of state is to submit it to the people for approval or rejection at the next ensuing regular general election. The legislative assembly may reject any measure proposed by initiative petition and propose a different one to accomplish the same purpose, and in any such event both measures are to be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular election. If conflicting measures submitted to the people at any election are approved by a majority of the votes severally cast for and against the same, the one receiving the highest number of affirmative votes becomes valid and the other is thereby rejected.

The second power is the referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety), as to any measure or any parts, items, or sections of any measure passed by the legislative assembly either by a petition signed by 5 per cent of the legal voters, or by the legislative assembly if a majority of the members elected vote therefor. When it is necessary for the immediate preservation of the public peace, health, or safety that a law shall become effective without delay, such necessity and the facts creating the same are to be stated in one section of the bill, and if upon aye and no vote in each house two-thirds of all the members elected to each house vote on a separate roll call in favor of the law going into instant operation, the law becomes operative upon approval of the governor.

The filing of referendum petition against one or more items, sections or parts of an act is not to delay the remainder of that act from becoming operative. Referendum petitions against measures passed by the legislative assembly are to be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislative assembly which passed the measure on which the referendum is demanded. The veto power of the governor does not extend to measures referred to the people. All sections on measures referred to the people of the State are to be had at biennial regular general elections except as provision may be made by law for a special election. Any constitutional amendment or other measure referred to the people is to take effect when it is approved by a majority of the votes cast thereon and not otherwise and is to be in

force from the date of the official declaration of the vote. The whole number of votes cast for justices of the supreme court at the regular election last preceding the filing of any petition for the initiative or for the referendum is made the basis on which the number of legal voters necessary to sign such petition is to be counted. Petitions and orders for the initiative and for the referendum are to be filed with the secretary of state, and in submitting the same to the people he and all other officers are to be guided by the general laws and the act submitting the amendment until legislation is especially provided. The amendment is self executing, but legislation may be enacted especially to facilitate its operation.

The proposed amendment for North Dakota is modeled after the system in use throughout Switzerland. In this country it has proven its practicability in South Dakota. One of the strong points of this amendment is that each measure proposed by initiative petition is first referred to the legislature. This makes provision for public hearings, debate, and the framing of a competitive measure if the legislature desires it. Careful consideration of each measure is thus secured before final action is taken.

Previous to the legislative sessions of 1907, some form of the initiative and referendum had been established in Oregon, South Dakota, Utah, Illinois, Texas, Nevada and Montana. Certain partial applications of the system have also been employed in other States. Some of the measures so far enacted have been imperfectly drawn but the experience won through the practical workings of the various laws is enabling legislators to frame new measures so as to secure practical results.

The movement for the initiative and referendum has made decided advances during the legislative sessions of 1907. The Missouri legislature submitted a constitutional amendment with a practically unanimous vote in the house and but six dissenting votes in the senate. In Maine the legislature submitted a constitutional amendment to apply the system to statute law. In other States the question of securing the submission of a constitutional amendment is still pending, particularly in Michigan, Minnesota, New Jersey, Ohio, Washington and Wisconsin. In Pennsylvania a bill has been introduced to establish the direct vote system for cities and boroughs, and in Delaware the house has passed a bill for the advisory initiative and the advisory referendum for Wilmington. A State bill is also pend-

ing. At the last general election in Massachusetts, both the house and the senate were pledged to pass a bill for the advisory initiative. Recently the house has favorably reported a public opinion bill. The campaign for the direct vote system is also being carried on in some of the southern States especially in Arkansas and Virginia. The recent action of the Oklahoma constitutional convention in adopting the initiative and referendum with only five dissenting votes indicates in some measure the enthusiasm with which the system is being advanced throughout the United States.

Special Jury Act. Recent experience in Illinois in empaneling juries has created a strong sentiment for a change in the law relating to the selection of juries in that State.

In the noted Gilhooly case three months were consumed in securing a jury at an estimated cost of \$18,000 to the county of Cook. The Cornelius Shea trial was a close second to the Gilhooly case and required eleven weeks to empanel a jury.

The Civic Federation, joined by ex-Judge Philip Stein, representing the Chicago Law Institute, and by Mr. Keene H. Addington, representing the Chicago Bar Association, took up the question of a law to reform the system of selecting juries, and appointed a committee of prominent lawyers to report upon the matter. The report of this committee is embodied in the special jury act (S.—no. 33) now before the Illinois legislature at Springfield. The bill as framed seeks to profit by the experience of the State of New York on the same subject and to avoid the weakness of the original New York law. In brief, the purpose of the bill is to do away in a large degree with the examination of veniremen in court to determine their qualifications as jurors, such examination being made by the jury commissioners, in counties having such a commission, or by County boards in counties having no jury commission, and thus weeding out those manifestly disqualified before being called into the jury box. The act provides for a special jury list, the number of names to be determined by the judges of courts of record in their respective counties. The qualifications of jurymen remain the same as formerly. Every veniremen must be personally examined by the commission and if found qualified is placed upon the special jury list. When a juror has served on a trial he is exempt for one year. The granting of a special jury is discretionary with the court, and the number of challenges is reduced.

Those favoring this bill cite the results of the New York law to sub-